


Approved: 
MICHAEL D. LONGYEAR / NICOLAS ROOS
Assistant United States Attorneys

Before: HONORABLE JAMES L. COTT
United States Magistrate Judge
Southern District of New York

- - - - - x
UNITED STATES OF AMERICA :
: SEALED COMPLAINT
:
- v. - : Violation of
: 21 U.S.C. § 846
MIGUEL ESCANO, :
: COUNTY OF OFFENSE:
Defendant. : BRONX
:
- - - - - x

18 MAG 3957

SOUTHERN DISTRICT OF NEW YORK, ss.:

ANDRES ROMAN, being duly sworn, deposes and says that he is a senior investigator with the New York State Department of Corrections and Community Supervision and a task force officer with the Drug Enforcement Administration Strike Force ("Strike Force") and charges as follows:

COUNT ONE

1. From at least on or about January 30, 2018, to at least on or about March 28, 2018, in the Southern District of New York and elsewhere, MIGUEL ESCANO, the defendant, and others known and unknown, intentionally and knowingly, did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MIGUEL ESCANO, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that MIGUEL ESCANO, the defendant, conspired to distribute and possess with the intent to distribute was 100 grams and more of mixtures and substances containing a detectable amount of carfentanil, an analogue of N-

phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide ("fentanyl"), in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

4. I am a task force officer with the Strike Force and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, and my conversations with ~~law enforcement agents and witnesses.~~ Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. As described in more detail below, the investigation has revealed that MIGUEL ESCANO, the defendant, is working with others to distribute multi-gram quantities of substances containing carfentanil. Based on my conversations with chemists from the Drug Enforcement Administration ("DEA") and my review of DEA reports, I understand that carfentanil is an analogue of fentanyl, which can be lethal at the 2-milligram range, depending on route of administration and other factors. Carfentanil is used as a tranquilizing agent for elephants and other large mammals. Carfentanil is 100 times more potent than fentanyl.

ESCANO'S JANUARY 30, 2018 SALE OF 50 GRAMS OF CARFENTANIL

6. On or about January 30, 2018, at the direction of law enforcement, a cooperating witness (the "CW")¹ met MIGUEL

¹ In or about June 2016, the CW was charged in the United States District Court for the District of Massachusetts with distributing, among other things, heroin. The CW has provided information to law enforcement in hopes of obtaining leniency at sentencing in his criminal case. The CW's information has generally proved accurate and reliable and has been corroborated by other evidence, such as surveillance by law enforcement. Unless otherwise noted, all actions by the CW described herein were taken at the direction of law enforcement.

ESCANO, the defendant, to undertake a narcotics transaction. Based on my conversations with the CW and law enforcement agents who observed the transaction, I have learned, among other things, the following:

a. The CW contacted ESCANO by calling ESCANO's cellular telephone. ESCANO directed the CW to meet ESCANO at a location near West 204th Street and Post Avenue in New York, New York. The CW called ESCANO when the CW arrived at the location.

b. ESCANO met the CW at the location and entered the CW's car. ESCANO informed the CW that they had to drive to the Grand Concourse section of the Bronx to pick up the narcotics. ~~ESCANO instructed the CW to drive to the vicinity of East 175th Street and Grand Concourse in the Bronx.~~

c. Upon their arrival in the vicinity of East 175th Street and Grand Concourse, the CW gave ESCANO \$3,250 in pre-recorded buy money. ESCANO exited the vehicle, walked toward a grocery store on Grand Concourse, and met with an associate ("CC-1"). ESCANO returned to the CW's car and handed the CW a clear plastic bag containing approximately 50 grams of apparent narcotics ("Substance-1"). ESCANO told the CW that he was going to remain at the location and exited the CW's car.

7. Based on my review of laboratory reports from the Drug Enforcement Administration's Northeast Laboratory (the "DEA Lab"), I have learned, among other things, the following:

a. Substance-1 weighed approximately 50 grams and contained a detectable amount carfentanil.

ESCANO'S FEBRUARY 21, 2018 SALE OF 70 GRAMS OF CARFENTANIL

8. On or about February 20, 2018, at the direction of law enforcement, the CW contacted MIGUEL ESCANO, the defendant, to arrange the purchase of 70 grams of the same substance that the CW purchased from ESCANO on January 30, 2018. Based on my conversations with the CW and law enforcement agents who observed the transaction, I have learned, among other things, the following:

a. On February 21, 2018, the CW contacted ESCANO, who told the CW to meet him at a restaurant on Nagle Avenue in New York, New York (the "Restaurant").

b. The CW called ESCANO when the CW arrived at the Restaurant. ESCANO walked toward the CW's car and entered the car. ESCANO took out a bag from his jacket pocket that contained what appeared, based on my training and experience, to be narcotics ("Substance-2") and placed it in the car's center console. ESCANO said the bag contained the same stuff - referring to his sale of Substance-1 to the CW on January 30, 2018. The CW handed ESCANO \$4,560 in pre-recorded buy money.

9. Based on my review of laboratory reports from the DEA Lab, I have learned, among other things, the following:

a. Substance-2 weighed approximately 70 grams and contained a detectable amount of carfentanil.

ESCANO'S MARCH 28, 2018 SALE OF 70 GRAMS OF CARFENTANIL

10. On or about March 26, 2018, at the direction of law enforcement, the CW contacted MIGUEL ESCANO, the defendant, and indicated that the CW wanted to buy another 70 grams of the same substance the CW purchased from ESCANO on January 30, 2018 and February 21, 2018. Based on my conversations with the CW and law enforcement agents who observed the transaction, I have learned, among other things, the following:

a. On or about March 28, 2018, the CW called ESCANO, and ESCANO told the CW that ESCANO had the stuff. ESCANO directed the CW to meet him one block south of the Restaurant.

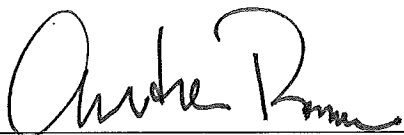
b. When the CW arrived at the location identified by ESCANO, the CW called ESCANO and told ESCANO that the CW was at the location. ESCANO walked toward the CW's car and entered the vehicle. ESCANO handed the CW a clear plastic wrapping containing what appeared, based on my training and experience, to be narcotics ("Substance-3"). The CW gave ESCANO \$4,550 in pre-recorded buy money.

c. ESCANO asked the CW whether the CW would order a larger quantity - approximately 100 grams - the next time. The CW told ESCANO that the CW was not sure. ESCANO exited the vehicle.

11. Based on my review of laboratory reports from the DEA Lab, I have learned, among other things, the following:

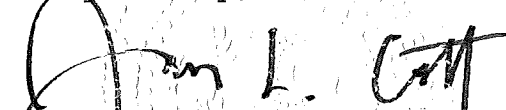
a. Substance-3 weighed approximately 70 grams and contained a detectable amount of carfentanil.

WHEREFORE, deponent respectfully requests that MIGUEL ESCANO, the defendant, be arrested, and imprisoned or bailed, as the case may be.

 TFO

Task Force Officer Andres Roman
DEA Strike Force

Sworn to before me this
9th day of May, 2018


THE HONORABLE JAMES L. COTT
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK